

VILLAGE OF BREWSTER  
BOARD OF TRUSTEES  
15 MAY 2019  
7:30 P.M.  
REGULAR MEETING  
MINUTES

The Board of Trustees of the Village of Brewster held a regular meeting at 7:30 PM, on May 15, 2019 at Village Hall, 50 Main Street, Brewster, NY 10509.

Attendees:

Mayor: James Schoenig  
Deputy Mayor and Trustee: Christine Piccini  
Trustees: Mary Bryde, George Gaspar,  
Village Police Chief: John Del Gardo  
Village Engineer: Todd Atkinson  
Village Counsel: Anthony Molé  
Clerk & Treasurer: Peter Hansen  
Deputy Clerk-Treasurer: Michelle Chiudina

Absent:

Tom Boissonnault

Pledge to flag.

Notation of Exits

**Regular Meeting**

Mayor Schoenig motions to open the regular meeting, Trustee Bryde 2<sup>nd</sup> all in favor 4 to 0.

1. Proclamation for Christine Dangers, Support Connection, Inc. Spirit of Caring Award – Mayor Schoenig thanks Christine Dangers for attending tonight. Mayor Schoenig thanks Ms. Dangers for giving back to the community and support from others with similar experiences with breast cancer are invaluable in helping those afflicted to persevere. General applause from the Board of Trustees and the audience for Christine Dangers generosity in helping others.
2. Monthly Reports
  - 2.1. March & April, 2019 Police Reports: Chief Del Gardo delivers the March, 2019 Police report, copy attached to these minutes. Trustee Bryde asks if stop signs of 101 were a lot and if that was all over the Village. Chief Del Gardo said that it was a lot and they were all over the Village. Trustee Bryde asks about the nine vehicle accidents and if they were all over the Village. Chief Del Gardo says there were nine accidents and they were in nine different locations. Trustee Bryde asked about the nature of the accidents. Chief Del Gardo said there were no major accidents, mostly people pulling out of parking spaces and minor fender benders. Trustee Bryde asks about Criminal Mischief. Chief Del Gardo says that was damage to property. Trustee Bryde asks about Disorderly persons. Chief Del Gardo says there were two at the train station and one on Hoyt Street and Oak Street most likely intoxicated persons. Trustee Bryde asks about assisting county with one Disorderly. Chief Del Gardo says we did assist the Sherriff with one Disorderly. Trustee Gaspar asks about the difference between uniform traffic tickets of 292 v the Selective Enforcement figure of 241. Chief Del Gardo says it was a typo in the report. Trustee Bryde asks about the thirty-two cell phone tickets. Chief Del Gardo says they are higher. Trustee Bryde says the failure to yield to pedestrians continues to be a problem. Chief Del Gardo says there is always a problem when pedestrian can be blocked from view by parked cars. There being no further questions on the March report, Chief Del Gardo delivers the April, 2019 Police report, copy attached to these minutes. Trustee Bryde asks about speeds noting that they went up along with cell phones above March. Chief Del Gardo agrees. Trustee Bryde asks about driving on sidewalk. Chief Del Gardo says there was someone driving on the sidewalk. Trustee Bryde asks about State Police presence in the Village. Chief Del Gardo says the State Police does work in the Village on occasion. Deputy Mayor Piccini asks if the Sheriff also uses the Village as a staging area. Chief Del Gardo says the Sherriff does not work in the Village as a rule. Trustee Bryde asks about disobeying signs. Chief Del Gardo says the people are disobeying

traffic signs by turning left when there is clearly a sign that says no left turn. Mayor motions to accept March & April 2019 Police reports, Trustee Bryde 2<sup>nd</sup> all in favor 4 to 0.

- 2.2. April, 2019 Planning Board Report: Rick Lowell delivers the April Planning Board report, copy attached to these minutes. Deputy Mayor Piccini asks if there is any pending business. Mr. Lowell says there is not at present. Mayor Schoenig motions to accept the April Planning Board report, Trustee Gaspar 2<sup>nd</sup> all in favor 4 to 0.
- 2.3. April, 2019 Code Enforcement Report – Bill Scorca delivers the April Code Enforcement report, copy attached to these minutes. Mayor Schoenig motions to accept the April Code Enforcement report, Trustee Gaspar 2<sup>nd</sup> all in favor 4 to 0.
- 2.4. April, 2019 Zoning Board of Appeals Report – Mayor Schoenig motions to accept the April ZBA of no activity, copy attached to these minutes, Trustee Gaspar 2<sup>nd</sup> all in favor 4 to 0. Deputy Mayor Piccini asks if the 2020 smoke alarm requirements are for all residences. Mr. Scorca says that is correct.
- 2.5. April, 2019 Engineer's Report: Todd Atkinson delivers the April Engineer's report, copy attached to these minutes. Deputy Mayor Piccini motions to accept the Engineer's report, Trustee Bryde 2<sup>nd</sup> all in favor 4 to 0.
3. MS-4 report Deputy Mayor Piccini motions to authorize Mayor Schoenig to sign the MS-4 report once it has been posted for 30 days and assuming there are no comments that need to be addressed, Trustee Bryde 2<sup>nd</sup> all in favor 4 to 0.
4. 530 N. Main Performance Bond Resolution – Mayor Schoenig motions to adopt Performance Bond Resolution No. 051519-1 for 530 N. Main Street Site Plan as written, Deputy Mayor Piccini 2<sup>nd</sup> all in favor 4 to 0.
5. Street reconstruction/repaving SEQRA Declaration – Counsel Molé advises that the action is Type II by statute, which does not require any further SEQR review. Deputy Mayor Piccini motions to authorize the Mayor to sign the SEAF after modifications as noted, Trustee Gaspar 2<sup>nd</sup> all in favor 4 to 0. Deputy Mayor Piccini motions to declare the action Type II with no further action required, Trustee Gaspar 2<sup>nd</sup> all in favor 4 to 0.
6. Street reconstruction/repaving Bond Resolution Mayor Schoenig motions to adopt Resolution No. 051519-2 as written, Trustee Gaspar 2<sup>nd</sup> all in favor 4 to 0. Motion carries by super majority as required. Trustee Boissonnault absent.
7. DRI Grant application – Deputy Clerk Chiudina met with Department of Planning Director Sandra Fusco and discussed the DRI application to comply with the intent of the Comprehensive Plan, in support of the Urban Renewal Plan, revised Zoning Code, and in concert with the revitalization of the Village as elicited from the general public during our public engagement sessions and subsequent report prepared by Pace Land Use Law Center and included as an appendix in the Comprehensive Plan Update adopted in late 2015. Trustee Gaspar motions to support the DRI Grant Application with the goals as described, Deputy Mayor Piccini 2<sup>nd</sup> all in favor 4 to 0.
8. Well 1, 2, 3, 4, & 5 Performance Testing \$2,950 per proposal provided by DPW Superintendent Consentino: Mayor Schoenig motions to approve the expenditure, Trustee Gaspar 2<sup>nd</sup> all in favor 4 to 0.
9. Cabaret definition – Counsel Molé discusses potential for amending the Cabaret definition to allow music as a secondary purpose to an establishment, not the primary purpose or leaving the current definition as is and allowing code enforcement to make the determination as to what constitutes a cabaret. Deputy Mayor Piccini motions to set a public hearing for amending Chapter 263-3, regarding further definition of the Cabaret, 2<sup>nd</sup> all in favor 4 to 0.
10. Amendments to Vehicle Traffic Chapter 250 – Mayor Schoenig requests the Clerk to copy streets from Village Code into an excel spreadsheet to coordinate the review of each street's parking regulations and signage through assignment at the next Board meeting for discussion at the June 5, 2019 meeting.
11. Monthly Billing Arrears (45 day post quarterly billing list) – tabled as the relevy report encompasses billing arrears.
12. Relevy report & approval for 2020 Tax Warrant – Trustee Gaspar motions to approve the relevy report of unpaid utilities through the April 2, 2019 due date as presented, Deputy Mayor Piccini 2<sup>nd</sup> all in favor 4 to 0.
13. 2020 Tax warrant approval for preparation of the tax bills– Trustee Gaspar motions to approve the tax warrant as written, Deputy Mayor Piccini 2<sup>nd</sup> all in favor 4 to 0.
14. Correspondence sent & received for April, 2019 – Mayor Schoenig motions to accept correspondence sent and received, Trustee Bryde 2<sup>nd</sup>, all in favor 4 to 0.
15. Minutes for approval;
  - 15.1. May 1, 2019 Minutes – Trustee Bryde motions to approve the May 1, 2019 minutes, Trustee Gaspar 2<sup>nd</sup> all in favor 4 to 0.

16. Vouchers Payable – Deputy Mayor Piccini reviewed the vouchers payable and found everything in order.

16.1.	A -	GENERAL FUND	\$5,522.58
16.2.	C –	REFUSE & GARBAGE	74.00
16.3.	F -	WATER FUND	336,329.97
16.4.	G -	SEWER FUND	21,374.96

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Total Vouchers Payable	\$363,301.51
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Mayor Schoenig motions to approve vouchers payable as written, Deputy Mayor Piccini 2<sup>nd</sup> all in favor 4 to 0.

17. Other Business

- 17.1. Deputy Mayor Piccini mentions the complaint received regarding Rte 22 property. Clerk Hansen said he forwarded it to the Code Enforcement Officers and asked them to follow up to correct the situation. Deputy Mayor Piccini mentions Village Matters articles are past due.
- 17.2. Trustee Gaspar would like to pursue the parking of commercial vehicles on the streets in residential areas and whether to expand it to private property as well.
- 17.3. Trustee Bryde thanked Deputy Clerk Chiudina for her help in getting the flower baskets done in time for Memorial Day and DPW Superintendent Consentino for hanging them on the brackets. Trustee Bryde thanks Deputy Clerk Chiudina for her role in hanging the Women of Distinction photographs in the lobby and says the next step is to put a plaque up labeling the wall as such. Trustee Bryde reminds everyone that the Memorial Day Parade and Ceremony is Monday May 27, at 11 AM at Veteran's Park.

18. New Business

- 18.1. Trustee Bryde is supporting Relay for Life again this year and thanks the Board for their support. Trustee Bryde says that Flag Day is next month and she will remind everyone of that again at the next meeting.
- 18.2. Mayor Schoenig asks if satellite dishes are an indication of overcrowding. Counsel Molé says that we could send a letter to the owner asking them to remove unused dishes under property maintenance code but we can't use them to determine an overcrowding issue.

19. Public Comment

- 19.1. Rich Prejs says that at 2 AM on the weekends there can be some loud noise coming from the El Pueblo bar area and up and down Main Street.
- 19.2. Rick Stockburger asks about streets named for paving. Clerk Hansen says the streets currently on the list for the estimate are; Marvin Avenue, Oak Street, Prospect Street, Progress Street, Hoyt Street, Merritt Street, Wells Street, Center Street, and North Main Street.

20. Mayor Schoenig motions to go into executive session to discuss contract issues, Deputy Mayor Piccini 2<sup>nd</sup> all in favor 4 to 0. Mayor Schoenig motions to come out of executive session, resume the regular meeting and adjourn, Trustee Bryde 2<sup>nd</sup> all in favor 4 to 0.

# **MARCH 2019 MONTHLY REPORT**



**POLICE CHIEF**  
**John Del Gardo**

MONTHLY REPORT

To: Mayor James Schoenig - Board of Trustees  
 FROM: Police Chief John Del Gardo  
**MARCH 2019**

911 CALLS	74	VEHICLE REPAIRS		\$598.82
WALK IN COMPLAINTS	23	VEHICLE MILEAGE		4287
TOTAL CALLS FOR SERVICE	97	VEHICLE FUEL		659
SECURITY VISITS		PEO STOCKBURGER	Tickets	20
Sewer Plant	221		Hours	17
Water Tank	215			
Wells Park	203			
Wells Field	5			
TOTAL VISITS	644			
FOOT PATROL				
Main Street:	68			
M.T.A Station:	98			
Residential:	52			
TOTAL HOURS	218			
Court Hours - Village	48			
Court Hours - S.E.	110			
TICKETS				
Uniform Traffic Tickets:	292			
Parking Tickets:	114			
Local Ordinance	2			
TOTAL TICKETS	408			
ARRESTS				
ROW ARREST SAMPLE	1			
LARCENY ARREST SAMPLE	1			
512 ARREST QUINONES	1			
TOTAL ARRESTS	3			

(Security Detail)2 Officers  
 (Security Detail)2 Officers

## **911 DISPATCHED CALLS – 74 CALLS**

**AIDED – 12**  
**EDP - 9**  
**VEHICLE ACCIDENT – 9**  
**DISPUTE - 8**  
**ASSAULT - 1**  
**911 HANGUP - 4**  
**LOCKOUT - 1**  
**CRIMINAL MISCHIEF - 2**  
**DISORDERLY PERSONS - 3**  
**ASSIST PCSO/SP - 1**  
**LOW WIRES - 1**  
**MISSING PERSON - 1**  
**LARCENY - 2**  
**TRESPASS - 1**  
**LOST PROPERTY - 1**  
**WELFARE CHECK - 6**  
**INTOX PERSONS - 1**  
**NOISE COMPLAINT - 2**  
**HOMELESS CONDITION - 2**  
**FIRE - 2**  
**PARKING CONDITION - 1**  
**LOOSE DOG COMPLAINT - 1**  
**SUSPICIOUS VEHICLE -1**  
**SUSPICIOUS PERSON - 2**

**VILLAGE OF BREWSTER POLICE**

**SELECTIVE TRAFFIC ENFORCEMENT**

**MARCH 2019**

**SPEEDS - 82**

**STOP SIGN - 101**

**CELL PHONE - 32**

**RED LIGHT - 12**

**511 ARREST - 1**

**FAIL TO YIELD TO PEDESTRIAN - 2**

**ONE WAY - 2**

**DISOBEY SIGN - 10**

**TOTAL - 241**

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# **APRIL 2019 MONTHLY REPORT**



**POLICE CHIEF**  
**John Del Gardo**



# VILLAGE OF BREWSTER POLICE DEPARTMENT

## MONTHLY REPORT

To: Mayor James Schoenig - Board of Trustees

FROM: Police Chief John Del Gardo

APRIL

2019

911 CALLS	60	VEHICLE REPAIRS		\$646.01
WALK IN COMPLAINTS	20	VEHICLE MILEAGE		4221
TOTAL CALLS FOR SERVICE	80	VEHICLE FUEL		613
SECURITY VISITS		PEO STOCKBURGER	Tickets	25
Sewer Plant	212		Hours	23
Water Tank	198			
Wells Park	208			
Wells Field	4			
TOTAL VISITS	622			
FOOT PATROL				
Main Street:	57			
M.T.A Station:	83			
Residential:	42			
TOTAL HOURS	182			
Court Hours - Village	60	(Security Detail)2 Officers		
Court Hours - S.E.	105	(Security Detail)2 Officers		
TICKETS				
Uniform Traffic Tickets:	308			
Parking Tickets:	87			
Local Ordinance	5			
TOTAL TICKETS	400			
ARRESTS				
511 ARREST - CASTRO	1			
511 ARREST - CASTRO	1			
TOTAL ARRESTS	2			

## **911 DISPATCHED CALLS – 60 CALLS**

**AIDED – 7**

**VEHICLE ACCIDENT – 5**

**DISPUTE - 3**

**ASSAULT - 1**

**911 HANGUP - 2**

**DISORDERLY/INTOX PERSONS - 7**

**ASSIST PCSO/SP - 3**

**LARCENY - 1**

**LOST PROPERTY - 2**

**WELFARE CHECK - 5**

**NOISE COMPLAINT - 4**

**HOMELESS CONDITION - 1**

**FIRE - 1**

**PARKING CONDITION - 2**

**DOG COMPLAINT - 1**

**SUSPICIOUS VEHICLE -2**

**SUSPICIOUS PERSON - 2**

**POWER OUTAGE - 1**

**MAN ON TRACKS - 1**

**SMOKE CONDITION - 1**

**GAS ODOR - 1**

**VEHICLE ALARM - 1**

**FIRE ALARM - 2**

**POTHOLE IN ROAD - 1**

**DOA - 1**

**BOLO - 2**

**VILLAGE OF BREWSTER POLICE**

**SELECTIVE TRAFFIC ENFORCEMENT**

**APRIL 2019**

**SPEEDS - 122**

**STOP SIGN - 57**

**CELL PHONE - 44**

**RED LIGHT - 7**

**511 ARREST - 2**

**DRIVING ON SIDEWALK - 1**

**SEATBELT - 5**

**FAIL TO YIELD TO PEDESTRIAN - 2**

**DISOBEY SIGN - 27**

**TOTAL - 267**

# VILLAGE OF BREWSTER, NY

## PLANNING BOARD REPORT

May '14, 2019

Rick Lowell, Chairman  
Rick Stockburger, Vice-Chairman  
David Kulo  
Janet Ward  
Marti Foster

Greg Folchetti, attorney- Costello & Folchetti  
Todd Atkinson, PE – J.R. Folchetti & Assoc.  
Cathy Chuidina, secretary

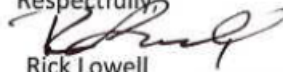
Meeting Date: April 23, 2019, 7:30PM

Absent: none

The meeting opened with the continued Public Hearing on the Site Plan for 530 N. Main St. Several questions involving Board process as well as Site Plan considerations were answered by the property owner Dr. N. Aqeel, village engineer Todd Atkinson, Joe Hernandez and Bill Scorca of the village Building Dept. and a general discussion among those present. The Hearing was then closed.

A Negative Declaration on SEQRA was moved and passed by all in favor. The Site Plan for the project known as 530 N. Main St was passed by 4 votes in favor, 1 against.

Respectfully,



Rick Lowell  
Chairman

## APRIL, 2019 Code Enforcement Report

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VILLAGE OF BREWSTER  
50 MAIN STREET  
BREWSTER, NY 10509  
(845) 279-3760

### APRIL, 2019 SUMMARY REPORT

		Year to Date
A.1560 SAFETY INSPECTION =	\$4,175.00	\$28,370.00
A.2555 BUILDING FEES =	2,730.00	27,077.00
A.2590 PROPERTY REG =	4,010.00	4,060.00

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TOTAL FOR APRIL =	\$10,915.00	\$59,507.00
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PERMITS:	10
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VIOLATIONS:	5
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TOTAL COs, CCs:	7
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INSPECTIONS	7
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PROPERTY REG COMPLETE	202
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1.	<u>GENERAL INFORMATION</u>		
Report No:	5 of 2019	Date: 5/15/2019	Contract No:
Facility Name: <b>VOB / Wastewater Treatment Plant and Collection System</b>			
2.	<b>ENGINEERS STATUS OF PROJECT</b> (Narrative description of the Upgrade Project tasks (and subtasks) undertaken by the Engineer as set forth in the Engineers Contract and Scope of Work including:		
a.	Activities completed this month (attach additional pages as needed)		
	<ul style="list-style-type: none"> <li>The average daily flows at the plant in April were 143,000</li> <li>Parts ordered for Putnam Avenue Pump Station check valve assemblies and cutter blades</li> <li>NYCDEP plant inspection on 5/10/2019</li> </ul>		
b.	Status of activities in progress this month (attach additional pages as needed):		
	<ul style="list-style-type: none"> <li>Replace sand and clean underdrains in Sand Filters 1 &amp; 3</li> </ul>		
c.	Activities scheduled (attach additional pages as needed):		
	<ul style="list-style-type: none"> <li>Rebuild/Repair CIP System</li> <li>Repair/Rebuild grind hog grinder at the Carmel Avenue Pump Station</li> <li>Repair/Rebuild grind hog grinder at the Marvin Avenue Pump Station</li> </ul>		

**VILLAGE OF BREWSTER  
MONTHLY PROGRESS REPORT**

<b>1. <u>GENERAL INFORMATION</u></b>		
Report No: 5 of 2019	Date: 5/15/2019	Contract No:
Facility Name: <b>VOB / PLANNING BOARD REVIEW AND CONSULTATION</b>		

<b>2. <u>ENGINEERS STATUS OF PROJECT</u> (Narrative description of the Upgrade Project tasks (and subtasks) undertaken by the Engineer as set forth in the Engineer's Contract and Scope of Work including:</b>	
<b>a.</b>	Projects reviewed this month (attach additional pages as needed)
	<ul style="list-style-type: none"> <li>• Brewster Honda – 2.5 hours</li> <li>• 530 North Main Street – 6.0 hours</li> </ul>
<b>b.</b>	Status of Planning Board projects (attach additional pages as needed):
	<ul style="list-style-type: none"> <li>• Route 22 Brewster LLC (BP Station) Final Inspections</li> <li>• 538 North Main Street – Construction Ongoing/Amendment Approved</li> <li>• 162 Main Street Ongoing Inspections</li> <li>• 79 Main Street Resolution Requirements; Inspections</li> <li>• Brewster Honda, Punchlist Inspections</li> <li>• 530 North Main Street – Planning Board Public Hearing/SEQRA</li> </ul>
<b>c.</b>	Activities scheduled (attach additional pages as needed):
	<ul style="list-style-type: none"> <li>• Continue plan review and meetings for B.O.S. Land Development</li> <li>• Perform final inspections on Route 22 Brewster LLC (BP Station) Site, when needed</li> <li>• Perform site inspection at 538 North Main Street, when needed</li> <li>• 530 North Main Street Planning Review, Ongoing</li> <li>• Perform inspections at 162 Main Street, when needed</li> <li>• Perform site inspection at 538 North Main Street, when needed</li> </ul>



1. <u>GENERAL INFORMATION</u>		
Report No:	5 of 2019	Date: 5/15/2019
Contract No:		
Facility Name: <b>VOB / Tonetta Brook Marvin Avenue Headwall</b>		
2. <u>ENGINEERS STATUS OF PROJECT</u> (Narrative description of the Upgrade Project tasks (and subtasks) undertaken by the Engineer as set forth in the Engineers Contract and Scope of Work including:		
a. Activities completed this month (attach additional pages as needed)		
<ul style="list-style-type: none"><li>Received USACOE Approval on April 22, 2019.</li><li>Respond to NYCDEP comments.</li></ul>		
b. Status of activities in progress this month (attach additional pages as needed):		
<ul style="list-style-type: none"><li>Final design plans being prepared</li><li>"Issued for Bid" Contract Documents being finalized.</li></ul>		
c. Activities scheduled (attach additional pages as needed):		
<ul style="list-style-type: none"><li>Bid project in late spring.</li></ul>		

**VILLAGE OF BREWSTER  
MONTHLY PROGRESS REPORT**

<b>I. GENERAL INFORMATION</b>		
Report No: 5 of 2019	Date: 5/15/2019	Contract No:
Facility Name: <b>VOB / EPA Stormwater Phase II Regulations</b>		

<b>2. ENGINEERS STATUS OF PROJECT</b> (Narrative description of the Upgrade Project tasks (and subtasks) undertaken by the Engineer as set forth in the Engineer's Contract and Scope of Work including :	
<b>a.</b>	<b>Activities completed this month (attach additional pages as needed):</b>
	<ul style="list-style-type: none"> <li>• Maintained monthly stormwater maintenance/good housekeeping reports quantifying the number of pounds of litter and the amount of sand cleaned up throughout the Village</li> </ul>
<b>b.</b>	<b>Status of activities in progress this month (attach additional pages as needed):</b>
	<ul style="list-style-type: none"> <li>• Awaiting public comments on the MS4 Annual Report</li> <li>• Finalize MS4 Annual Report on the end of the 30-day comment period; May 21, 2019</li> <li>• Submit MS4 Annual Report to NYSDEC prior to June 1, 2019</li> </ul>
<b>c.</b>	<b>Activities scheduled (attach additional pages as needed):</b>
	<ul style="list-style-type: none"> <li>• Address any public or regulatory comments on the MS4 Annual Report</li> </ul>

April 22, 2019

Attention: Peter Hansen & Village Trustees

Reference: April ZBA Activity

Please be advised that there were no meetings pertaining to the ZBA in April.

Best Regards,

Todd Gianguzzi ZBA, Chairman